

## **REPORT OF THE STANDARDS COMMITTEE**

### **Meeting held on 10 October 2003**

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#### **Membership:**

Robert Rogers (Independent Member) (Chairman); Richard Gething (Town and Parish Council Representative); Councillor John Edwards, Councillor Peter Harling

#### **APPOINTMENT OF NEW MEMBERS OF THE COMMITTEE**

- 1 On 25 July 2003 the Council agreed to our proposal that one additional Independent Member and one additional Parish/Town Council representative should be added to the Committee.
- 2 The post of Independent Member has been advertised in the local press. We want to encourage a good range of candidates to apply; to publicise the appointment we issued a press release, which triggered some press coverage, and I have spoken about the role in an interview for BBC Hereford and Worcester. Interviews will be on 20 November 2003; we hope that a recommendation will be before Council at the meeting on 16 January 2004.
- 3 The Herefordshire Association of Local Councils has arrangements in hand for the appointment of a second Parish/Town Council representative on the same timescale.

#### **ELECTIONS 2003**

- 3 Following the elections on 1 May 2003 almost all Town and Parish Councillors have undertaken to comply with the Code of Conduct and have completed the register of financial and other interests. A small number of Town and Parish Councillors have not; we are pursuing this as a matter of urgency.
- 4 Town and Parish Councillors need to understand the requirements of the Code of Conduct and we have sought to assist them through seminars and other events. A partnership between HALC and the University of Gloucester has been particularly successful. In co-operation with HALC we are arranging a seminar on 10 November 2003 at the Shirehall, which will cover the new arrangements for determining complaints locally as well as elucidating the Code of Conduct through case studies.

#### **JOINT MEETING OF STANDARDS COMMITTEES**

- 5 Arrangements are in hand for a joint meeting with the Standards Committees of the Hereford and Worcester Combined Fire Authority and Worcestershire County Council. The meeting will take the form of a training event on how to deal with complaints under the powers conferred on the Committees by the Local Authorities (Code of Conduct) (Local Determination) (Regulations) 2003. It will be held in February 2004, after the new members of our Committee have been appointed.

#### **LOCAL PROCEDURE FOR THE DETERMINATION OF COMPLAINTS**

- 6 The Local Authority Code of Conduct (Local Determination) (Regulations) 2003 is now in force. The main effect of the regulations is that following a complaint of alleged misconduct being investigated by an Ethical Standards Officer appointed by the Standards Board for England, the complaint may then be referred by the Board to us for final determination, rather than being dealt with by the Board. In July this year the Standards Board for England issued guidance which provides practical procedural information for Standards Committees on how to conduct hearings. It

recommends that Committees should consider introducing a pre-hearing stage to give directions on the conduct of the hearing. We think the model procedure for a hearing and a pre-hearing is sensible, and have adopted it for our own use.

### **APPLICATIONS FOR DISPENSATIONS RECEIVED FROM TOWN AND PARISH COUNCILLORS**

- 7 Under the model code of conduct Councillors may not participate in matters in which they have a prejudicial interest. In the normal course of events this would not prejudice the proper working of the councils, but there are instances where the number of councillors who would be prohibited from participating would impede the transaction of business. Section 97(1) of the Local Government Act 2000 authorises the Standards Committee to grant dispensations in relation to the Herefordshire Council and town and parish councils in the County.
- 8 We have granted a dispensation to Parish Councillor JT Godsall in respect of the Yarkhill Parish Hall Committee.

### **INVESTIGATIONS BY THE STANDARDS BOARD FOR ENGLAND**

- 9 We have considered a progress report on the current investigations by the Standards Board for England of complaints against town and parish councillors.

**ROBERT ROGERS  
CHAIRMAN  
STANDARDS COMMITTEE**

### **BACKGROUND PAPERS**

- Agenda Papers of the Meetings of the Standards Committee held on 10 October 2003.